

Docket No. P-US-TN-3305
Application Serial No. 10/688,668

REMARKS

The Office Action dated May 12, 2009, has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto.

By this Amendment, the claims 1 and 66-68 have been amended, and claims 82-84 have been added. No new matter is presented. Support for the amendment to claims 1, 66 and 67 can be found in at least paragraph [0076] of the specification as originally filed. Claims 1-5, 66-69, 71 and 80-84 are pending and respectfully submitted for consideration.

Claim Objections

Claim 68 was objected to for a minor informality. Responsive to the objection, the Applicants have amended claim 68 to recite that the motor assembly is pivotably supported by first and second legs of the U-shaped member. Accordingly, the Applicants respectfully request withdrawal of the objection.

Rejections Under 35 U.S.C. § 103

Claims 1-3, 66-68 and 80

Claims 1-3, 66-68 and 80 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Greenland (U.S. Patent No. 6,276,990, "Greenland '990") in view of Lee (U.S. Patent No. 6,272,961), Jameson (U.S. Patent No. 3,777,792), Weisman (U.S. Patent No. 4,885,956), Mayfield (U.S. Patent No. 5,063,806), Rueb (U.S. Patent No. 5,577,428), Welch (U.S. Patent No. 5,906,528), Greenland (U.S. Patent No. 6,080,041, "Greenland '041"), and Gorgol et al. (U.S. Patent No. 6,273,081). Claims 1, 66 and 67 are independent. Claims 2-3 and 80 depend from claim 1 and claim 68 depends from claim 67. The Applicants traverse the rejection and respectfully submit that claims 1-3, 66-68 and 80 recite subject matter that is neither disclosed nor suggested by the cited references.

Claims 1, 66 and 67, as amended, recite a first rail disposed on the frame assembly, the first rail having a longitudinal axis and being adjustable in a direction lateral to the longitudinal axis. Greenland '990 does not disclose or suggest that track means 51 are adjustable. Greenland '990 merely discloses a "frame 12... provided with integral track means 51 running the length of the frame 12." See column 3, line 66 to column 4, line 1 of Greenland '990. As such, there is no

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disclosure or suggestion in Greenland '990 of a first rail disposed on the frame assembly, the first rail having a longitudinal axis and being adjustable in a direction lateral to the longitudinal axis. None of Lee, Jameson, Weisman, Mayfield, Rueb, Welch, Greenland '041, and Gorgol disclose or suggest a first rail disposed on the frame assembly, the first rail having a longitudinal axis and being adjustable in a direction lateral to the longitudinal axis. Thus, the cited references do not cure at least this deficiency in Greenland '990. Accordingly, Greenland '990 either singly or in combination with Lee, Jameson, Weisman, Mayfield, Rueb, Welch, Greenland '041, and Gorgol fails to teach or suggest the feature of the invention as recited in claims 1, 66 and 67 and therefore dependent claims 2-3 and 80.

Claims 5, 69, 71 and 81

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Greenland '990 in view of Fuhrman et al. (U.S. Patent No. 6,637,424).

Claim 69 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Greenland '990 in view of Lee, Jameson, Weisman, Mayfield, Rueb, Welch, Greenland '041, and Gorgol and further in view of McCambridge et al. (U.S. Patent No. 4,350,193), Marcoux et al. (U.S. Patent No. 3,342,226), Brenta (U.S. Patent No. 4,105,055), Sanfilipo (U.S. Patent No. 6,745,803) and Otto U.S. Patent No. (5,161,590).

Claims 71 and 81 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Greenland '990 in view of Lee, Jameson, Weisman, Mayfield, Rueb, Welch, Greenland '041, and Gorgol and further in view of Sigetich et al. (U.S. Patent No. 4,428,159).

The Applicants traverse the rejections and respectfully submit that claims 5, 69, 71 and 81 recite subject matter that is neither disclosed nor suggested by the cited references. Claims 5 and 71 depend from claim 1, claim 69 depends from claim 67, and claim 81 depends from claim 66. As discussed above, Greenland '990 in combination with Lee, Jameson, Weisman, Mayfield, Rueb, Welch, Greenland '041, and Gorgol fails to teach or suggest the features of the invention as recited in claims 1, 66 and 67. Fuhrman, McCambridge, Marcoux, Brenta, Sanfilipo, Otto and Sigetich further fail to cure the deficiencies in the above-cited references as they also do not disclose or suggest at least the feature of a first rail disposed on the frame assembly, the first rail having a longitudinal axis and being adjustable in a direction lateral to the longitudinal axis. Accordingly, the Applicants respectfully submit that Greenland '990 either

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singly or in combination with Lee, Jameson, Weisman, Mayfield, Rueb, Welch, Greenland '041, and Gorgol, Fuhrman, McCambridge, Marcoux, Brenta, Sanfilipo, Otto and Sigetich fails to teach or suggest the features of the invention as recited in dependent claims 5, 69, 71 and 81.

In view of the above, the Applicants respectfully submit that there is no disclosure or suggestion of the claimed arrangement of elements recited in claims 1-5, 66-69, 71, 80 and 81. Therefore, the cited references fail to support a *prima facie* case of obviousness for purposes of a rejection of claims 1-5, 66-69, 71, 80 and 81 under 35 U.S.C. § 103. Accordingly, claims 1-5, 66-69, 71, 80 and 81 are not rendered obvious in view of the cited references and should be deemed allowable.

The Applicants further submit that new claims 82-84 are allowable based on the subject matter recited therein and their dependency from independent claims 1, 66 and 67.

Conclusion

The Applicants do not acquiesce to the characterizations of the art. For brevity and to advance prosecution, however, the Applicants have not addressed all characterizations of the art, but reserve the right to do so in further prosecution of this or a subsequent application. Moreover, there may be alternative or additional reasons for patentability not discussed in this response.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

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In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's deposit account No. 02-2548, referencing Attorney Dkt. No. P-US-TN-3305.

Respectfully submitted,

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